

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

SAMUEL AKPAN INYANG,

Debtor.

ORDER FOR SCHEDULING
CONFERENCE

Samuel Akpan Inyang,

Plaintiff,

BKY 02-32791

ADV 04-3342

vs

Educational Credit Management Corp. and

U.S. Dept. of Education,

Defendants.

Pursuant to Fed R. Civ. P. 16, as incorporated by FED. R. BANKR. P. 7016, IT IS HEREBY ORDERED:

1. Inapplicability of Disclosure Requirements: The provisions of FED. R. CIV. P. 26(a)(1), 26(f), 26(a)(2), and 26(a)(3) shall not apply in this adversary proceeding.

2. Counsel for all parties shall attend a scheduling conference at Courtroom No. 228B, at U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101, on **October 27, 2004 at 11:45 a.m.**

3. Counsel shall be prepared to discuss the following at the conference:

- a. Legal and factual issues raised by the parties' claims and defenses.
- b. Discovery contemplated, and time necessary for its completion.
- c. Contemplated motions as to jurisdictional matters, dismissal, or summary judgment.
- d. Prospects of settlement.
- e. Length of time that trial would require; identity of witnesses and exhibits.

BY THE COURT:

DATED: September 28, 2004

/s/ Gregory F. Kishel

Gregory F. Kishel

Chief United States Bankruptcy Judge

COUNSEL: PLEASE NOTE:

1. If counsel for the plaintiff(s) has not received an answer from the defendant(s), and if there has been no appearance from the defendant(s), the Court encourages the plaintiff(s) to move for default judgment. The motion may be set on the calendar for the same date and time as the scheduling conference. See LOC. R. BANKR. P. (D. MINN.) 5071-1, 7055-1, 9006-1, AND 9013-2, among others.

2. The Court will conduct the scheduling conference via telephonic conference call if this adversary proceeding has uncomplicated subject matter and if *all* counsel wish to attend by telephone. Counsel requesting a telephonic conference shall first coordinate it with all other counsel and obtain the numbers at which they may be reached. Only after such coordination may counsel advise the Court's calendar clerk (at 651-848-1061), and in any event shall do so no later than 24 hours before the date and time set for the Scheduling Conference. The Court will initiate the conference call, to ensure maximum quality of connection.

NOTICE OF ENTRY AND FILING
ORDER OR JUDGMENT
Filed and Docket Entry made
on September 28, 2004
Lori A. Vosejpka, Acting Clerk
By aml Deputy Clerk

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

I, ANITA M. LARSON, hereby certify:

That I am the Calendar Clerk to Chief Gregory F. Kishel of the United States Bankruptcy Court for the Third Division of the District of Minnesota at St. Paul, and that on September 28, 2004, true and correct copies of the annexed:

Order for Scheduling Conference

were placed by me in individual official envelopes, that said envelopes were addressed individually to each of the person(s), corporations, and firms at their last known addresses, were sealed and on the day aforesaid were placed in the United States mails at St. Paul, Minnesota, to:

JAMES WHELPLEY
TWIN CITY ATTORNEYS PA
2151 N HAMLINE AV
ROSEVILLE MN 55113

EDUCATIONAL CREDIT MANAGEMENT
CORP
LOCK BOX 8639
PO BOX 75848
ST PAUL MN 55175-0848

ROYLENE CHAMPEAUX
U S ATTORNEY OFFICE
300 S 4TH ST STE 600
MINNEAPOLIS MN 55415

and this certificate was made by me.

/s/ Anita Larson
Deputy Clerk

Filed on <u>September 28, 2004</u> Lori A. Vosejpka, Acting Clerk By <u>aml</u> Deputy Clerk
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